

GAARMS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Crown Cork & Seal, et al.,)
) 12 Civ. 5803
vs.) (JLG)
)
Credit Suisse, et al.)
)
)

The State of Arizona, et al.,)
) 12 Civ. 5804
vs.) (JLG)
)
Credit Suisse, et al.)
)
)

The City of Chandler, et al.,)
) 12 Civ. 5805
vs.) (JLG)
)
Bank One, et al.)
)
)

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

Whereas, on or about April 11, 2006, each and all of the Plaintiffs in the above captioned proceedings (the "Arizona Noteholders") voluntarily dismissed, with prejudice, all of their claims against Harold W. Pote, Thomas G. Mendell, and Eric R. Wilkinson (collectively, the "Outside Directors," and together with the Arizona Noteholders, the "Parties"). *See In Re National Century Financial Enterprises, Inc.*, Case No. 2:03-MD-1565, Docket No. 835 (Attached hereto as Exhibit A).

Whereas, for the sake of clarity and finality, the Parties, by and through their undersigned counsel, stipulate to the dismissal of the Arizona Noteholders' claims against the Outside Directors with prejudice pursuant to Fed. R. Civ. P.41(a)(2), with each party to bear its own fees and costs.

Dated: New York, NY
December 19, 2012

Respectfully submitted,

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So ordered:

U.S.D.J.

Dated: New York, NY
December 19, 2012

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So ordered:

s/ James L. Graham
U.S.D.J. *ML*

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2012 the foregoing was served upon all parties by electronic delivery through the Court's ECF document filing system.

/s/ Philip Mirrer-Singer

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

-----	X	
In Re:	:	Case No. 2:03-MD-1565-JLG-MRA
National Century Financial Enterprises, Inc.	:	
	:	Judge Graham
	:	Magistrate Judge Abel
-----	X	

UNITED STATES DISTRICT COURT - DISTRICT OF ARIZONA

City of Chandler, <i>et al.</i> ,)	No. CV03-1220-PHX
)	
vs.)	
)	
Bank One, N.A., <i>et al.</i> ,)	
-----)	
State of Arizona, <i>et al.</i> ,)	No. CIV 03-1618-PHX
)	
vs.)	
)	
Credit Suisse First Boston Corp., <i>et al.</i> ,)	
-----)	
Crown Cork & Seal Company, Inc.)	No. CV-03-2084-PHX
Master Retirement Trust, <i>et al.</i> ,)	
)	
vs.)	
)	
Credit Suisse First Boston Corp., <i>et al.</i>)	

**Notice of Voluntary Dismissal, With Prejudice, of Arizona Noteholders' Claims
Against JP Morgan Settling Defendants**

Pursuant to Fed. R. Civ. P. 41(a), and in consideration of the settlement they have reached with JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., JPMorgan Partners, LLC, The Beacon Group, LLC, Bank One, N.A., Bank One Corporation, Banc One Capital Markets, Inc., Harold W. Pote, Thomas G. Mendell, Eric Wilkinson and The Beacon Group III – Focus Value Fund, L.P. (“Focus Value Fund”) (collectively the “JP Morgan Settling Defendants”), each and all of the Plaintiffs in the above captioned proceedings (the “Arizona Noteholders”) voluntarily dismiss, with

prejudice, all of their claims against the JP Morgan Settling Defendants. Nothing in this dismissal is, or shall be construed to be, a dismissal of the Arizona Noteholders' claims against any defendant other than the JP Morgan Settling Defendants.

Respectfully submitted,

/s/ Kathy D. Patrick

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ATTORNEYS FOR PLAINTIFFS IN THE CITY OF CHANDLER,
ET AL. V. BANK ONE, N.A., ET AL; STATE OF ARIZONA, ET AL
V. CREDIT SUISSE FIRST BOSTON CORP., ET AL, AND
CROWN CORK & SEAL COMPANY, INC., ET AL. V. CREDIT
SUISSE FIRST BOSTON CORP., ET AL, ACTIONS PENDING IN
THE DISTRICT OF ARIZONA

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following as indicated on the service list, and I hereby certify that I have mailed by certified mail, return receipt requested, United Postal Service the document to those parties who are not CM/ECF participants.

/s/ Kathy D. Patrick

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